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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,402	04/12/2001	Masahide Kawakami	108974	2534

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EXAMINER	
RAHMJOO, MANUCHER	
ART UNIT	**PAPER NUMBER**
2676	

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/787,402	KAWAKAMI, MASAHIDE	
	Examiner	Art Unit	
	Mike Rahmjoo	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1- 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukamoto et al (US Patent 6570569), hereinafter, Tsukamoto in view of Murata (US Patent 6,348,923).

As per claims 1, 8, 9 and 16 Tsukamoto teaches object determination means (see for example fig. 2 block 10) that determines which part objects within a predetermined area in the aggregate object are objects to be changed in display form when an impact is applied to the aggregate object (see for example fig.6a for the aggregate object and fig. 6b for the part object and fig. 7 for the impact of the tail into the aggregate object) thereby simulating breakage of the aggregate object (see for example fig. 8 for the simulation of the breakage of the predetermined part objects from the aggregate object) where at least one part object spatially separates and remains

separated from the aggregate object (see for example fig. 8 for the compete separation of the predetermined part objects) and the impacted position is included within the predetermined area.

However, Tsukamoto does not teach image generation means which changes at least one of shape, position, rotation angle, direction, moving direction and moving speed of the part objects determined as objects to be changed and generates an image.

Murata teaches image generation means which changes at least one of shape, position, rotation angle, direction, moving direction and moving speed of the part objects determined as objects to be changed and generates an image see for example the abstract, column 5 lines 55- 61 and column 9 lines 24- 31 for the creation of a synchronized montage image and figures 1- 7 and 9 corresponding to image generation changing shape and position of part objects determined as objects to be changed.

It would have been made obvious to one of ordinary skilled in the art at the time the invention was made to incorporate the teachings of Murata into Tsukamoto to point out to the changed or synthesized montage image data as corresponding to weight and height (size) see column 2 lines 44- 45 and column 5 lines 55- 61 and therefore observe the modifications after they are made to further produce user interaction and enhance the efficiency of the device.

As per claims 2 and 10 Tsukamoto teaches an area in which the display form of the part objects is changed is determined in accordance with at least one of the

magnitude (corresponding to intensity) of the impact, the direction of the impact 20 and the type of the aggregate object see for example column 8 lines 17- 20.

As per claims 3 and 11 Tsukamoto teaches an area in which the display form of the part objects is changed is randomly determined see for example figures 7- 15 for object E (point or area of collision) to different structures and column 12 lines 5- 10 for the inherent random area determination due to the free and unrestricted movement of the monster and his tail.

As per claims 4 and 12 Tsukamoto teaches changing the display form of the part objects which are spaced more apart from the impacted position that changes at a later time than the display form of the part objects closer to the impact position see for example figures 7- 12 for the changes which occur in the display form of the part objects at the impact position at the time of the impact (e.g. fig. 7) and at a later time after the impact (e.g. fig. 11 for the collective collapsing of the upper object).

As per claims 5, 6, 13 and 14 Tsukamoto teaches changing the part objects which have already been changed to a first display form to further change to a second display form after a given time period has elapsed see for example fig. 11- 13 for the collective collapsing of the upper object (secondary display form(s) after landing on the ground).

As per claims 7 and 15 Murata teaches the aggregate object is formed by assembling the part objects having different shapes without any gaps see for example figures 16 a- d for the aggregate object without any gaps.

Response to Arguments

Applicant's arguments with respect to claim 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (571) 272-7789. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272- 7691. The fax phone number for the organization where this application or proceeding is assigned is (571) 273- 8300 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Mike Rahmjoo

February 15, 2006

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600